

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LINDA HUDSON AND STEPHANIE
HUDSON

: CIVIL ACTION

:

V.

:

:

WILBERTO GONZALEZ & DOLLAR RENT
A CAR SYSTEMS, INC., & RENTAL CAR
FINANCE CORP.

:

: NO. 02-4365

DEFENDANT'S RESPONSE TO PLAINTIFF'S
MOTION TO COMPEL DISCOVERY RESPONSES

Defendants, Wilberto Gonzalez & Dollar Rent A Car Systems, Inc., & Rental Car Finance Corp., through their attorneys, MARGOLIS EDELSTEIN, hereby move this Honorable Court to deny Plaintiff's Order to compel discovery responses pursuant to the Federal Rule of Civil Procedure 26(b)(3).

1. Admitted.
2. Admitted.
3. Denied.
4. Denied.
5. Admitted.
6. Admitted.
7. Denied as to use of phrase "written response."
8. Admitted.
9. Admitted.
10. Admitted.

11. Admitted.
12. Admitted in part and denied in part. Defendant's counsel correctly stated that the Defendant's statement was not discoverable pursuant to the Federal Rules.
13. Denied.
14. Denied as to the argument that a document response has not been produced.
15. Denied. Defendants contend that pursuant to F.R.C.P. 26(b)(3), Plaintiffs are not entitled to the statement made by Defendant Gonzalez because the Plaintiffs must demonstrate a substantial need of the materials in preparation of the Plaintiffs' case and that the Plaintiffs are unable to do so with substantial hardship to obtain the substantial equivalent of the materials by any means. Plaintiffs must first meet this burden in order to obtain this statement.
16. Denied as moot because Defendants has served a document response and Defendant, Gonzalez has given sworn deposition testimony concerning the Plaintiff's interrogatories and his answers.
17. Admitted.
18. Denied in part, as a document response has been served.
19. Admitted.
20. Admitted.
21. Admitted.
22. Denied in part as Defendants have served document responses.
23. Admitted.

WHEREFORE, Defendants, Wilberto Gonzalez & Dollar Rent A Car Systems, Inc., & Rental Car Finance Corp., respectfully request from this Court an Order in its favor to deny the Plaintiff's Motion to Compel the Production of a Statement of Defendant, Wilberto Gonzalez.

MARGOLIS EDELSTEIN

BY: _____

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